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Dkt. 2271/64016

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

pplication of: Shinichi YAMAURA et al.

Serial No.: 09/761,122

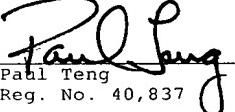
Group Art Unit: 2183

Date Filed: January 16, 2001

Examiner: Amol V. Gole

For: PARALLEL PROCESSOR AND IMAGE PROCESSING APPARATUS

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Paul Teng

Reg. No. 40,837

April 6, 2004

Date

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Technology Center 2100

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

COMMUNICATION IN RESPONSE TO MARCH 18, 2004 OFFICE ACTION

This Communication is submitted in response to the March 18, 2004 Office Action issued by the U.S. Patent and Trademark Office in connection with the above-identified patent application.

The March 18, 2004 Office Action indicates that examination of the application will be restricted by the Patent Office under 35 U.S.C. §121 to one of the following allegedly distinct species:

Group I. Claims 1-11, drawn to a parallel processor, classified in class 712, subclass 13; and

Group II. Claims 12-22, drawn to a parallel processor, classified in class 712, subclass 14.

Applicants hereby elect, with traversal, to prosecute the invention of Group I, claims 1-11.

Applicants, however, respectfully request reconsideration of the

restriction requirement. Under 35 U.S.C. §121, restriction may be required if two or more independent and distinct inventions are claimed in one application. Under M.P.E.P. §803, the application must be examined on the merits, even though it includes claims to distinct inventions, if the search and examination of an application can be made without serious burden.

The inventions of Groups I and II are not independent. Under MPEP §802.01, "independent" means there is no disclosed relationship between the subjects disclosed. Applicants respectfully note that independent claim 1 is directed to a parallel processor comprising a global processor and a processor-element block comprising a plurality of processor elements, classified in class 712, and independent claim 12 is also directed to a parallel processor comprising a global processor and a processor-element block comprising a plurality of processor elements, classified in claim 712. Therefore, Applicants respectfully submit that Groups I and II are not independent and restriction is improper.

In addition, Applicants submit that it would not be a serious burden if restriction is not require, because a search for prior art for one Group will likely turn up relevant references for the other Group. Therefore, Applicants submit that search and examination of the Groups together would not be a serious burden.

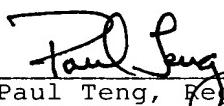
Accordingly, in view of the preceding remarks, Applicants respectfully request that the restriction requirement be withdrawn.

If a petition for an extension of time is required to make this response timely, this paper should be considered to be such a petition, and the Commissioner is authorized to charge the requisite fees to our Deposit Account No. 03-3125.

The Office is hereby authorized to charge any additional fees that may be required in connection with this response and to credit any overpayment to our Deposit Account No. 03-3125.

If a telephone interview could advance the prosecution of this application, the Examiner is respectfully requested to call the undersigned attorney.

Respectfully submitted,



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